

### **REMARKS**

Reconsideration and allowance in view of the following remarks are respectfully requested.

#### **Rejection of Claims 1-8 and 10-28 Under 35 U.S.C. §103(a)**

The Office Action rejects claims 1-8 and 10-28 under 35 U.S.C. §103(a) as being unpatentable over Sezan et al. (U.S. Patent No. 6,236,395) (“Sezan et al.”) in view of Chen et al. (U.S. Patent No. 6,307,550) (“Chen et al.”), Jain et al. (U.S. Patent No. 6,144,375) (“Jain et al.”), and further in view of Slezak (U.S. Patent No. 6,006,257) (“Slezak”). Applicants traverse this rejection. Applicants do not acquiesce that it would have been obvious to one of skill in the art to combine Sezan et al., Chen et al., Jain et al., and Slezak, and reserve the right to later argue against their combination. However, these arguments are not necessary at this time because, as Applicants shall explain, even if combined Sezan et al., Chen et al., Jain et al., and Slezak do not teach all the limitations of claim 1.

First, claim 1 recites deriving virtual camera scripts and coding hints from the image data, wherein the derived virtual camera script comprises a generated sequence of frames that simulates camera movement. Applicants submit that Sezan et al. do not teach deriving coding hints from the image data. Applicants present non-limiting examples taken from the specification to illustrate certain portions of the claims. These examples are not intended in any way to limit or restrict the scope of the invention as claimed. The specification explains that coding hints are used to optimize coding performance. Coding hints can, for example, reveal the encoding process for each frame as well as define the temporal evolution of each frame. Specification, page 5, lines 26-28. One exemplary coding hint is motion information used to generate a sequence of frames which saves cycles in the encoding process as well as improving the coding

performances because motion does not need to be estimated since the exact motion values are available. Specification, page 6, lines 9-15. Another exemplary coding hint in the case of frame repetition is information inserted in the formatted output sequence of frames in a format understandable by the decoder or set-top box. Specification, page 6, lines 18-20. In contrast to the recited language of deriving coding hints from the image data, Sezan et al. teach program profiles suitable to facilitate filtering and searching of audio and video information, rather than coding hints to optimize coding performance. Sezan et al., col. 4, lines 65-67. Sezan et al. further teach that a program description scheme can contain data about the initial size or location of a region, movement of the region between frames, and duration and terms of the number of frames featuring the region. Sezan et al., col. 5, lines 22-26. One purpose of the description scheme is to support close-up views, and Sezan et al. do not teach using the description scheme information to increase coding performance. Sezan et al., col. 5, lines 10-12. The information in Sezan et al. is not used to optimize coding performance or reveal the encoding process for each frame. The description scheme merely tracks particular objects of interest through several frames independent of the encoding process. Accordingly, Applicants submit that Sezan et al. do not teach deriving coding hints.

Second, Applicants submit that Jain et al. do not teach deriving virtual camera scripts of a sequence of frames that simulates camera movement. The specification includes a non-limiting example of a virtual camera script at page 5, lines 18-22, reproduced below:

```
Win = window 640x480;  
For i = 1 to 100  
{  
Frame[i] = SHIFT 10*i pixels vertically Win  
}
```

This example virtual camera script controls a virtual camera to scroll the frames vertically at a constant velocity. The virtual camera script controls a virtual camera, not a real camera. Such

virtual camera scripts are not taught in Jain et al. Jain et al. teach a presence system including actual video cameras. Jain et al., col. 9, lines 24-29. Jain et al. teach multiple (non-virtual) video cameras observing a three-dimensional (3D) scene. Jain et al., col. 10, lines 62-64. Jain et al. teach that the actual video cameras can be stationary or mobile. Jain et al., col. 2, lines 59-62; col. 3, lines 5-9; col. 27, lines 55-59. Further, while Jain et al. teach that a user can change viewing perspectives, the user does not change a virtual camera or simulate movement. Rather, Jain et al. teach that a user changes perspectives from one actual camera to another actual camera. Jain et al., col. 27, line 64 – col. 28, line 6. In sum, Jain et al. teach using actual cameras and switching between multiple actual camera perspectives instead of deriving virtual camera scripts. Accordingly, Applicants submit that Jain et al. do not teach deriving virtual camera scripts of a sequence of frames that simulates camera movement.

Third, Applicants submit that Slezak does not teach a customized advertisement that includes an offer of an award. Applicants first address the issue of the award, then will address the issue of a customized advertisement. One non-limiting example of an award in the specification is a pop-up in the middle of a commercial offering an award of \$100 to the first (or tenth, etc.) person to press “1” on their remote control. Specification, page 16, lines 28-30. The award in this example is a prize offered to many, but only a select few, or even a single person, win the award. This is well within the commonly understood meaning of the word award. In contrast to this example, the Office Action cites Slezak as purportedly teaching the offer of an award in Slezak, col. 8, lines 24-32. This section of Slezak teaches that a viewer can choose to view a movie for free with a lot of advertising, for half the price with minimal advertising, or for full price with no advertising. In the approach described in Slezak, the viewer is essentially making a selection from a list of options; the viewer is not being offered an award. Slezak teaches a tiered price structure as opposed to offering an award. As a rough analogy, a hungry

consumer does not claim to have won an award when he orders an extra value meal and saves 50¢ over ordering the sandwich, fries, and drink separately. The three options presented in Slezak are much closer to selecting an item from a dinner menu than to an award. Accordingly, Applicants submit that Slezak does not teach a customized advertisement that includes an offer of an award.

Further, even assuming *arguendo* that the tiered price structure of options taught by Slezak somehow equate to an offer of an award, Slezak do not teach that the offer of an award is included in a customized advertisement. Slezak teach that the three viewing options are presented simultaneously with a movie trailer. Slezak, col. 8, lines 18-32. The movie trailer of Slezak is not customized at all. Rather, Slezak teaches displaying the same movie trailer to each viewer who selects a certain movie. Slezak, col. 8, lines 24-28. Some possible ways Slezak could demonstrate customized advertisements include assembling a trailer out of parts which may be interesting to the viewer based on a personal profile or offering different pricing tiers based on income. However, Slezak teaches neither these nor other ways to customize the trailer. Accordingly, Applicants submit that Slezak does not teach a customized advertisement that includes an offer of an award.


Therefore, Applicants submit that claim 1 is patentable because even if combined, Sezan et al., Chen et al., Jain et al., and Slezak do not teach all the limitations of claim 1. Applicants also submit that claims 2-8 and 10-28 are patentable inasmuch as they depend from a patentable base claim. Accordingly, Applicants respectfully request that the 35 U.S.C. §103 rejection be withdrawn.

**CONCLUSION**

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

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